

Appl. Ser. No.10/729,142

Atty. Docket No. CWD-026746-US-P1

REMARKS

In response to the Final Office Action mailed on May 6, 2005, Applicants submitted an Amendment under Rule 116 on July 8, 2005 canceling rejected claims 44 and 47 to place the application in condition for allowance. Claims 1-43, 45 and 46 are now pending in this application.

Since the filing of the July 8, 2005 amendment, Examiner Patel telephoned the undersigned attorney several times to bring the following U.S. patents to Applicants' attention:

<u>Patent/Publication No.</u>	<u>Inventor</u>	<u>Date of Publication</u>
5,877,450	Quin	03-02-1999
5,979,987	Rich	11-09-1999
6,360,493	Torres, III	03-26-2002
2003/0096642 A1	Bessa et al.	05-22-2003
6,630,637	Ward et al.	10-07-2003
6,810,191	Ferris et al.	10-26-2004

Examiner Patel agreed that none of the cited patents disclose, teach or suggest the "adjustable position hinge clip" recited in claims 1 and 31 as previously defined by Applicant. In this Amendment, Applicants have amended independent claims 1 and 31 to clarify in the claims the definition of the recited "adjustable position hinge clip". In particular, the clip is "slidably attached to the base or the cover" to "allow[ing] the cover to pivot open either vertically or horizontally". Support for this amendment is found in the specification, for example, on page 7, lines 9-11. No new matter has been added. None of the prior art cited by the Examiner teaches or suggests a weatherproof enclosure having the claimed adjustable position hinge clip as defined in the claims. Examiner Patel indicated that these amendments would place the application in condition for allowance.

Appl. Ser. No.10/729,142

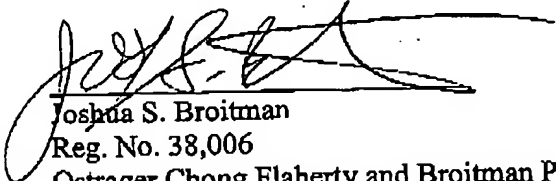
Atty. Docket No. CWD-026746-US-P1

Applicants believe that this application is now in condition for allowance and request that this case be passed to issue. Applicants further request that the Examiner issue a new Notice of References Cited (PTO-892) listing all of the patents cited by the Examiner. If any issue remains to be resolved, Applicants request that the Examiner telephone the undersigned.

Respectfully submitted,

August 4, 2005

Date



Joshua S. Broitman  
Reg. No. 38,006  
Ostrager Chong Flaherty and Broitman P.C.  
250 Park Avenue, Suite 825  
New York, New York 10177-0899  
Tel. No. : (212) 681-0600  
Fax No. : (212) 681-0300